



PATENT  
ATTORNEY DOCKET NO. HIRA1140

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mukouyama et al. Art Unit: 1651  
Parent Application No.: 09/408,142 Examiner: I. Marx  
Parent Filing Date: September 29, 1999  
Title: METHODS FOR PRODUCING L-ASPARTIC ACID

**Box Filing Date**  
Commissioner for Patents  
Washington, D.C. 20231

DECLARATION BY JASON BERRY

I, Jason Berry, can testify to following facts surrounding the CPA submission papers attempted to be deposited on November 19, 2001 with the United States Postal Service. The facts are as follows. I was unable to file the enclosed documents on November 19, 2001 due to an interruption or an emergency by the United States Postal Service.

I attempted to deposit the CPA Request and associated documents on Monday November 19, 2001 to the U.S. Postal Office in San Diego, California and the Postal Service refused to accept the shipment since it was addressed to the postal code 20231. Further, there was no notice on the United States Patent and Trademark Office's website informing me that express mail with the postal zip code of 20231 would be returned. Additionally, it is my understanding the USPTO was not informed by the Postal Service that they would return express mail with the postal zip code of 20231. Finally, I did not have a forwarding address to mail the CPA Request after the documents were returned from the Postal Office on November 19, 2001. I became aware of the emergency filing address on November 20, 2001.

CERTIFICATION UNDER 37 CFR § 1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date November 20, 2001, in an envelope addressed to: Box Filing Date, Commissioner for Patents, Washington, D.C. 20231

Jason Berry  
(Name of person mailing paper)

Jason Berry  
Signature

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11/20/2001  
Date

Jason Berry  
Jason Berry